



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**DECLARATION OF LYNN WEIDENFELLER**

APPLICANTS: Bruder et al. CONFIRMATION NO. 6626  
SERIAL NO.: 10/074,145 GROUP ART UNIT: 2623  
FILED: February 12, 2002 EXAMINER: Abolfazl Tabatabai  
TITLE: METHOD AND APPARATUS FOR SPIRAL SCAN COMPUTED  
TOMOGRAPHY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

S I R:

I, LYNN WEIDENFELLER, declare and state as follows:

1. I am supervisor of the Patent Docketing Department for the firm of Schiff Hardin LLP, representatives of the application for the above-referenced application. I have held that position at all times relevant to the prosecution of the above-referenced application.

2. During a routine review that I periodically undertake for applications having an unusual duration of PTO inactivity, I noted that a Response to the June 30, 2005 Office Action had been mailed to the PTO on September 28, 2005, but we had not received any further communication in response thereto from the PTO.

3. I therefore reviewed the PAIR file for this application, and saw that the Transaction History indicated that a Notice of Allowance had been mailed on January 4, 2006. I also noted that the Image File Wrapper included an entry indicating that the Notice of Allowance had been returned to the PTO as being undelivered, and there is a copy of the returned envelope in the PTO electronic file as well.

4. If a Notice of Allowance had been mailed on January 4, 2006, requiring payment of the Issue Fee on or before April 4, 2006, I or those under my supervision would have made three separate entries at three different locations in the records maintained by Schiff Hardin LLP for this application.

5. The first location would have been an entry on the application file itself. A copy of the front of the application file for this application maintained in the records of Schiff Hardin LLP is attached hereto as Exhibit "A" (the file indicates the law offices of Hill & Simpson, because a number of attorneys from Hill & Simpson merged into Schiff Hardin LLP prior to the filing date of this application, and the inventory of Hill & Simpson file folders was still being used at the time of filing of the present application).

6. If a Notice of Allowance dated January 4, 2006 had been received by Schiff Hardin LLP, I would have made an entry in the "Action Dated" column immediately below the last entry for the aforementioned June 30, 2005 Office Action. The absence of such an entry indicates that such a Notice of Allowance was not received. I would also have made an entry in the Issue Date section after "Allowed" and "Fee Due," indicating that the fee should be paid on or before April 4, 2006. The absence of entries at those locations is further evidence that the Notice of Allowance dated January 4, 2006 was not received.

7. The second location at which I or those under my supervision would have made an entry of the Notice of Allowance dated January 4, 2006 had been received by Schiff Hardin LLP would have been in a logbook that I maintain that indicates all dates for all items that are due in the Patent and Trademark Office. A copy of the relevant page from that logbook, which would have included any entry for April 4, 2006 is attached hereto as Exhibit "B". I would have made an entry in this logbook indicating that the Issue Fee was due on April 4, 2006, if the Notice of Allowance dated January 4,

2006 had been received, and I would have completed that entry upon transmittal of the Issue Fee to the Patent and Trademark Office on or before that date. The absence of any such entry in Amendment "B" is evidence that the Notice of Allowance dated January 4, 2006 was not received at Schiff Hardin LLP.

8. The third location at which I or those under my supervision would have made an entry if the Notice of Allowance dated January 4, 2006 had been received at Schiff Hardin LLP is in the electronic computer docket that is maintained by Schiff Hardin LLP. A printout of the list of actions from the electronic docket is attached hereto as Exhibit "C". As can be seen, the last entry is the automatically-generated indication to check on the Notice of Allowance on February 7, 2007. If a Notice of Allowance dated January 4, 2006 had been received at Schiff Hardin LLP, an entry would have been made in the list of actions following the indication that a Response to June 30, 2005 Office Action was transmitted on September 28, 2005. The absence of such an entry is evidence that the Notice of Allowance dated January 4, 2006 was not received at Schiff Hardin LLP.

9. I have also reviewed the entirety of the file for this application maintained by Schiff Hardin LLP, and I have found no copy or original of the Notice of Allowance dated January 4, 2006 therein, prior to my printing out such a copy from the PTO electronic file at the time of my review, noted above.

10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false

statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

DATE: Feb. 2, 2007

Lynn Weidenfeller  
LYNN WEIDENFELLER

CH1\4854763.1

26965-2523

## PATENT APPLICATION

GROUP ART UNIT 2625CASE NO. P02.0031CLIENT BILLING NO. 26965-2523CLIENT REF. NO. 2001P0230525CORRESPONDENCE TO: Siemens AGINVENTOR(S): Herbert Bruder, Thomas Flohr, Marc Kachelriess, Stefan Schaller and Karl StierstorferTITLE OF INVENTION: Method and Apparatus for Spiral Scan Computed TomographyEXECUTED: Feb. 15 + 18 - 2002SERIAL NO.: 10/074145FORWARDED: Feb. 12 2002FILED: Feb. 12 - 2002

PARENT SERIAL NO. \_\_\_\_\_

IDS: April 15 - 2002

DIV./CONT. FILED: \_\_\_\_\_

PRIORITY DOC. MAILED: April 15 - 02ASSIGNEE Siemens AktiengesellschaftASSIGNMENT: Dated Feb. 15 + 18 - 2002To Pat. Off. April 15 - 2002RECORDED: Date April 23 - 02 Reel 012837Frame 0966 10:102076004

## PATENT OFFICE COMMUNICATIONS

Action Dated	Amendment Due	Amendment Mailed	Action Dated	Amendment Due	Amendment Mailed
SP <u>April 2 - 02</u>	<u>Jan 2 - 02</u>	<u>April 15 - 02</u>			
<u>Proj. Pub. Date - Aug. 15 - 2002</u>					
<u>Actual Pub. Date - Oct. 7 - 2002</u>					
<u>Publication No: US-2002-0141628A1</u>					
<u>June 30 - 05</u>	<u>Sept. 30 - 05</u>	<u>Sept. 28 - 05</u>			

Appealed Date \_\_\_\_\_ Brief Due \_\_\_\_\_ Brief Mailed \_\_\_\_\_  
 Ex. Ans. Dated \_\_\_\_\_ New Points \_\_\_\_\_ New Grounds \_\_\_\_\_  
 Suppl. Ex. Ans. Dated \_\_\_\_\_ - mailed \_\_\_\_\_ - mailed \_\_\_\_\_  
 Reply Due \_\_\_\_\_ Hearing Date \_\_\_\_\_ Appeal No. \_\_\_\_\_  
 Reply Mailed \_\_\_\_\_ - mailed \_\_\_\_\_  
 Hearing Requested \_\_\_\_\_ Hearing Req. Mailed \_\_\_\_\_ Hearing Waived \_\_\_\_\_  
 Decision Dated \_\_\_\_\_ Req. for Rehearing \_\_\_\_\_ Appeal CAFC \_\_\_\_\_  
 - mailed \_\_\_\_\_ - mailed \_\_\_\_\_

## ISSUE DATE

Allowed \_\_\_\_\_ Fee Due: \_\_\_\_\_ Pat. Issue Approved by \_\_\_\_\_ Date \_\_\_\_\_

Drawings Due: \_\_\_\_\_ Drawings Mailed: \_\_\_\_\_ Proofread: \_\_\_\_\_

Issue Fee Mailed: \_\_\_\_\_ Patent No. \_\_\_\_\_ Dated \_\_\_\_\_

REMARKS Confirmation No. 6626

LAW OFFICES  
**HILL & SIMPSON**  
 A Professional Corporation  
 85<sup>TH</sup> FLOOR SEARS TOWER  
 CHICAGO, ILLINOIS 60606

491/899

Apr. 2006

Attorney	Inventor	Pub. Fee	Date Sent	Serial No.	Due Date	PTO Rec.
SHN	SCHRECK	Y	3/27	102,378	4	3/30
SHN	KIEFER	Y	3/27	213,733	4	3/30
BAV	BARDOLATZKY	Y	3/27	692,248	5	3/30
SHN	OBEL	Y	3/28	276,123	11	4/3
SHN	UTRENIUS	—	3/28	719,739	11	4/3
SHN	RENZ	DWG	3/30	859,377	12	4/3
TBJ	Schippert	Y	3/20	720,803	12	3/23
SHN	LAZAR	DWG	4/4	514,388	13	4/1
SHN	KOPPING	Y	3/28	070,112	13	4/3
SHN	KLINGENBECK-REGN	Y	3/29	896,653	13	4/4
SHN	SCHUEBRING	Y	3/29	845,890	17	4/4
SHN	KUTH	Y	3/29	126,045	18	4/4
BAV	HOELSAETER	Y	3/30	038,600	18	4/3
BAV	HAY	Y	4/12	736,583	19	4/18
MAR	KORDEN	Y	4/12	837,211	20	4/18
SHN	NISTLER	Y	4/12	909,517	20	4/18
SHN	FEIWEIER	Y	4/12	726,238	20	4/18
BAV	Seeler	Y	RCE FILED	780,801	25	do not pay per BAV
SHN	Noren	Y	4/12	478,144	26	4/18
SHN	Gustavsson	Y	4/19	130,877	27	4/26
TBJ	Hochne	Y	4/19	827,128	27	4/26

CH2\1231531.1





# Country Application

Friday, January 26, 2007

Page: 1

Docket Number: P02,0031

Country: US

SubCase:

Client: Siemens Aktiengesellschaft

United States of America

Case Type: PRI

Application Status: Published

Application Number: 10/ 074,145

Filing Date: 12-Feb-2002

Publication Number: US-2002-0141628-A1

Publication Date: 03-Oct-2002

Patent Number:

Issue Date:

Parent/PCT Number:

Parent/PCT Date :

Parent Issue Number:

Parent Issue Date :

Tax Schedule: LE

Expiration Date:

GAU: 2625

Forward Date: 12-Feb-2002

Confirmation #:

Patent Term Adjustment: 0

Owner:

Agent:

Agent Reference #:

App.Title: METHOD AND APPARATUS FOR SPIRAL SCAN COMUTED TOMOGRAPHY

Family Reference:

Client Reference No: 2001P02305US

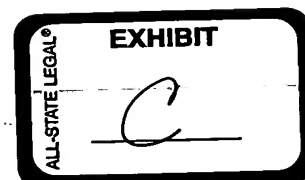
Remarks: CONFIRMATION NO. 6626

DECLARATION AND ASSIGNMENT WERE EXECUTED FEB. 15 & 18, 2002 AND  
MAILED TO THE PTO APRIL 15, 2002

PRIORITY DOCUMENT MAILED TO THE PTO APRIL 15, 2002

ASSIGNMENT RECORDED IN THE USPTO APRIL 23, 2002

Abstract:



## Country Application

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### List Of Actions

Action(s) Due	Due Date		Action Taken
File Priority U.S. Case	12-Feb-2002	Due Date	12-Feb-2002
POSTCARD	05-Mar-2002	Due Date	07-Mar-2002
Status for Missing Parts	12-Apr-2002	Due Date	08-Apr-2002
MISSING PARTS	02-May-2002	Reminder	15-Apr-2002
Information Disclosure Stmt	12-May-2002	Due Date	15-Apr-2002
RESPONSE DUE	02-Jun-2002	Due Date	15-Apr-2002
1st Extension	02-Jul-2002	Due Date	15-Apr-2002
2nd Extension	02-Aug-2002	Due Date	15-Apr-2002
US-Projected Publication Date	15-Aug-2002	Due Date	03-Oct-2002
3rd Extension	02-Sep-2002	Due Date	15-Apr-2002
Last Extension	02-Oct-2002	Final	15-Apr-2002
3 Month Due Date	30-Sep-2005	Due Date	28-Sep-2005
1st Extension	30-Oct-2005	Due Date	28-Sep-2005
2nd Extension	30-Nov-2005	Due Date	28-Sep-2005
Status for First Action	09-Dec-2005	Reminder	30-Jun-2005
6 Month Deadline	30-Dec-2005	Final	28-Sep-2005
Awaiting Examiner Response	28-Jan-2006	Due Date	23-Jan-2007
US-Status for First Action	09-Jun-2006	Due Date	30-Jun-2005
Checking on Notice of Allowanc	07-Feb-2007	Due Date	

### Assignment History

Assignment From	Assignment To	Assignment Date	Reel	Frame
			012837	0966 ID:

Created By: Conversion

User ID: lweidenf

Date Created: 18-Jan-2002

Last Update: 07-Jul-2005